



Board of Adjustment Case Report

City of Raleigh
Department of City Planning
One Exchange Plaza
Raleigh, NC 27601
(919) 996-2626
www.raleighnc.gov

Case File: A-17-18

Property Address: 1335 Courtland Drive

Property Owner: 1335 Courtland LLC

Project Contact: Benjamin Kuhn

Nature of Case: A request for three 15' front yard setback variances from the requirements set forth in Section 5.4.3.F.8.a.v. of the Unified Development Ordinance in order to permit the construction of three new detached houses, one each on the northernmost three of the four lots proposed to be subdivided out the existing 2.05 acre parcel zoned Residential-10 and Neighborhood Conservation Overlay District which results in three detached houses with 20' front yard setbacks on three of the parcels subdivided out of 1335 Courtland Drive.



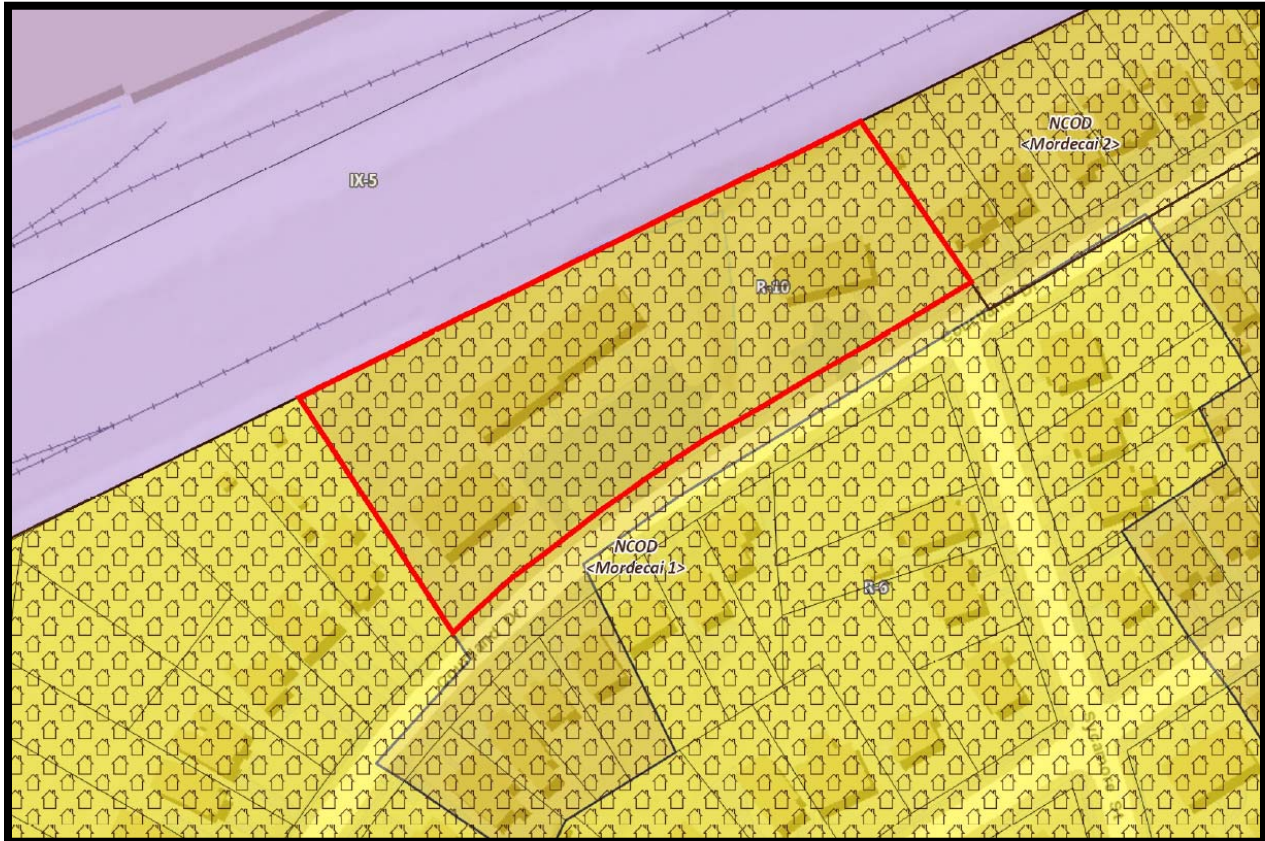
1335 Courtland Drive – Location Map

To BOA: 2-12-18

Staff Coordinator: Eric S. Hodge, AICP

ZONING

DISTRICTS: Residential-10 and Neighborhood Conservation Overlay District (Mordecai Neighborhood – Conservation District 1)



1335 Courtland Drive – Zoning Map

VARIANCE STANDARDS: In accordance with UDO [§10.2.10 Variance](#), before a variance request is granted, the Board of Adjustment shall show all of the following:

1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
2. The hardship results from conditions that are peculiar to the property, such as location, size or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.
3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.

4. The requested variance is consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured and substantial justice is achieved.

Zoning District Standards: The subject property is zoned Residential-10

R-10	Lot Dimensions
Area (min)	4,000 SF
Width – interior lot (min)	45'
Width – corner lot (min)	60'
Depth -	60'

R-6: Yard Type	Principal Structure Minimum Setback
Primary Street	10'
Side Street	10'
Side	5'
Sum of Sides	10'
Rear	20'

R-6: Yard Type	Accessory Structure Minimum Setback
Primary Street	50'
Side Street	20'
Side	5'
Rear	5'

NCOD: Mordecai – Conservation District-1

Minimum Lot Size:	7,260 square feet
Maximum Lot Size:	14,520 square feet
Minimum Lot Width:	50 feet
Maximum Lot Width:	100 feet
Front Yard Setback:	Minimum of 35 feet
Maximum Building Height:	35 feet

Application for Variance





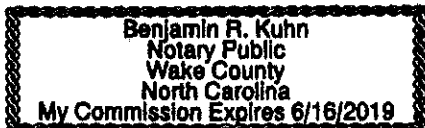
RALEIGH
DEPARTMENT OF
CITY PLANNING



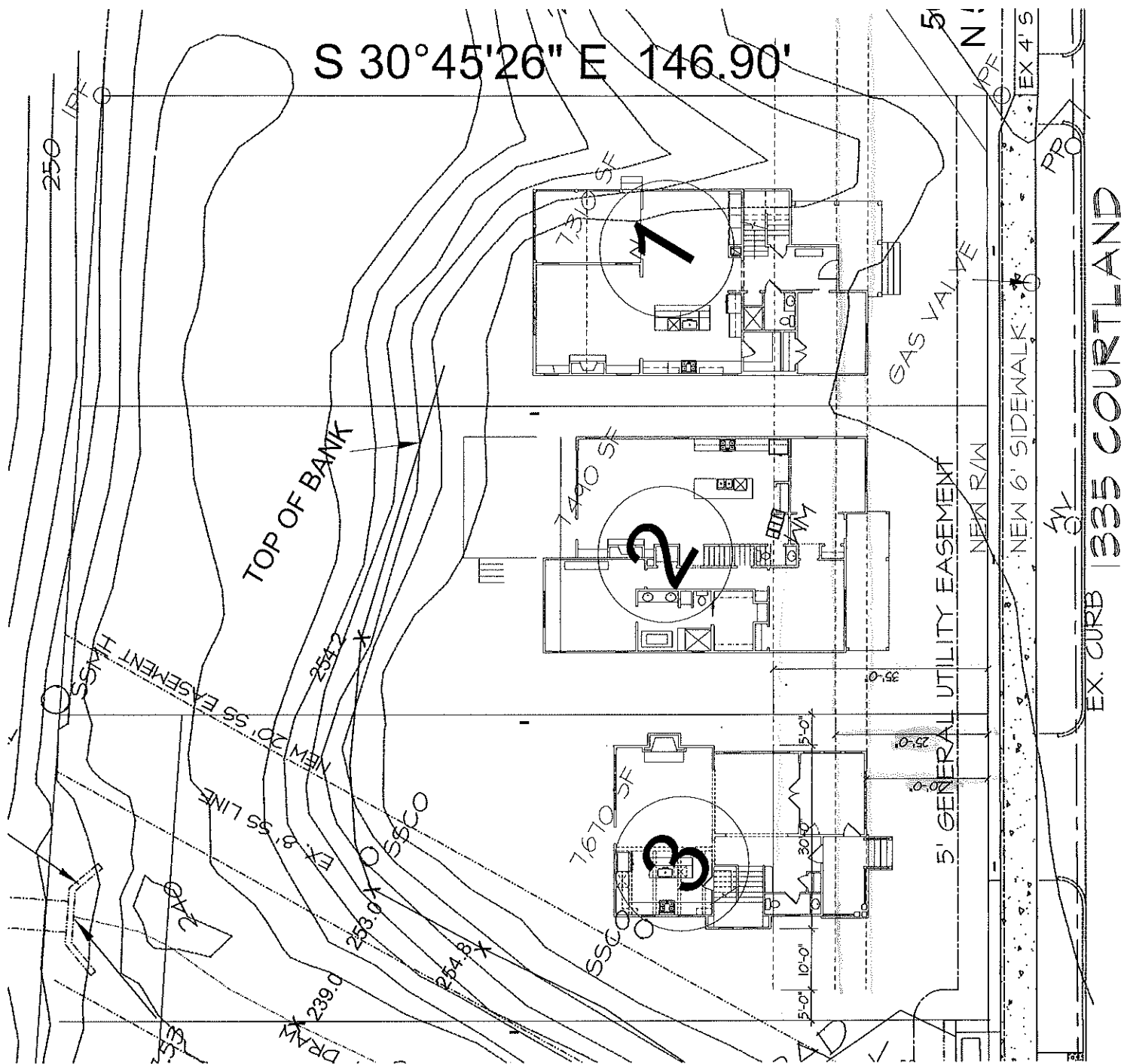
Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2626

Submit application to: Development Services Customer Service Center, 1 Exchange Plaza, Suite 400, Raleigh, NC 27601

NATURE OF REQUEST	OFFICE USE ONLY
Nature of variance request (if more space is needed, submit addendum on separate sheet): A variance is requested from the Neighborhood Conservation District Regulation set forth in UDO Section 5.4.3.F.a.v. which is applicable to a portion of the Mordecai Neighborhood, including the property referenced below, specifically, a variance in the range of between 10' to 15' from the front yard setback requirement of a "Minimum of 35 feet," resulting in a front yard setback of between 20' to 25' on three (3) lots zoned R-10 (NCOD-Mordecai-1) and to be subdivided from the property located at 1335 Courtland Drive as further shown in Exhibit A attached hereto and incorporated herein by reference.	Transaction Number A-17-18
Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions, or Pre-Submittal Conferences. If this property was the subject of a previous variance request, provide the case number.	

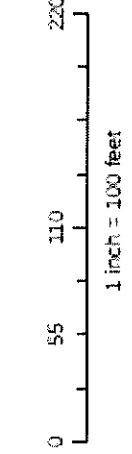
GENERAL INFORMATION		
Property Address 1335 Courtland Dr., Raleigh, NC 27604	Date 01/10/2018	
Property PIN 1704965009	Current Zoning R-10	
Nearest Intersection Courtland Dr. & Sycamore St.	Property size (in acres) 2.05	
Property Owner 1335 Courtland LLC	Phone	Fax
Owner's Mailing Address 310 Heck Street, Raleigh, NC 27601	Email corey@fivehorizonsdevelopment.com	
Project Contact Person Benjamin R. Kuhn	Phone 919-881-2201	Fax 919-783-8991
Contact Person's Mailing Address 2840 Plaza Pl., Ste 400, Raleigh, NC 27612	Email bkuhn@rl-law.com	
Property Owner Signature  STUART COLLINAN	Email corey@fivehorizonsdevelopment.com	
Notary Sworn and subscribed before me this <u>12th</u> day of <u>January</u> , 20 <u>18</u>	Notary Signature and Seal  	

~~S 30°45'26" E 146.90'~~



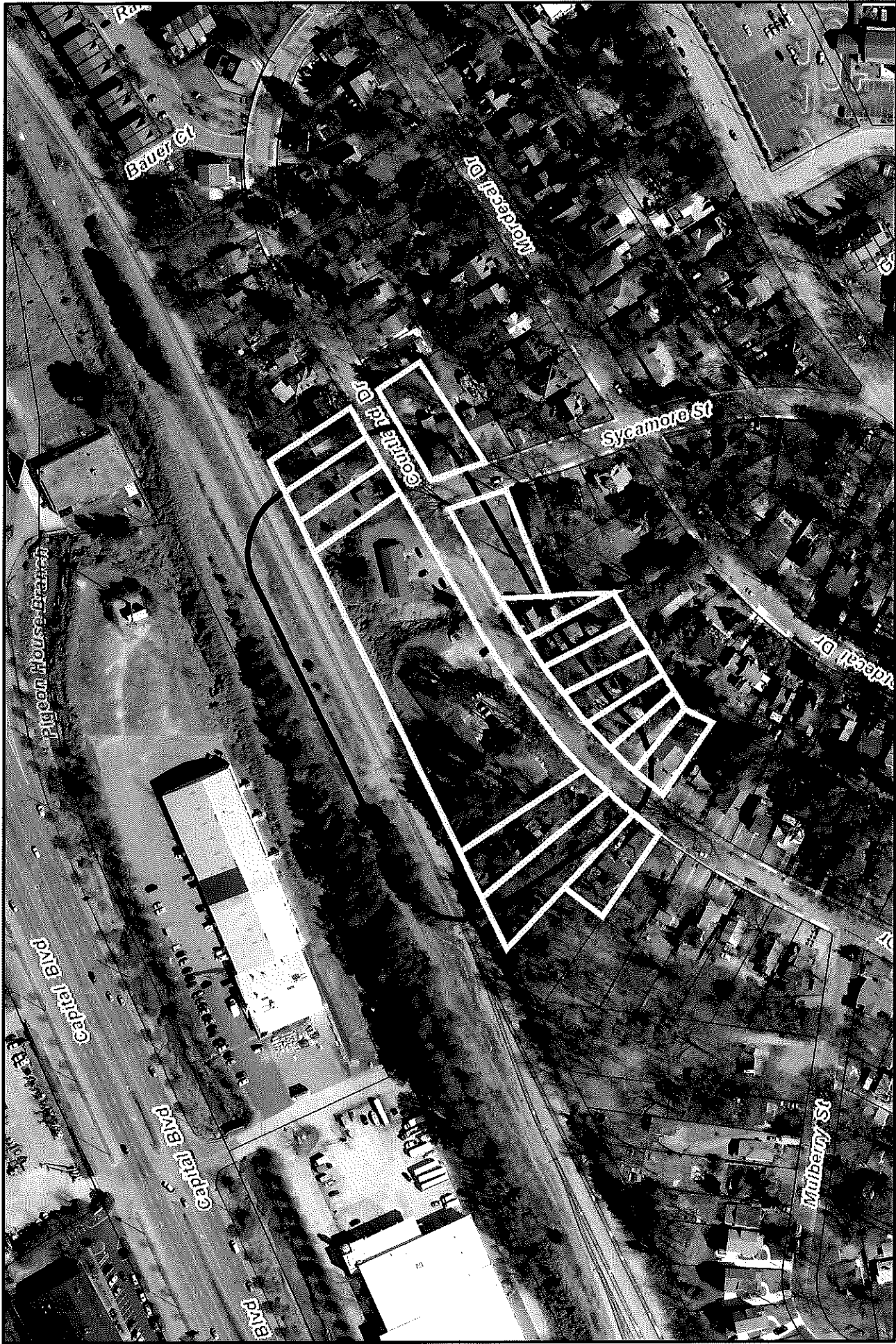


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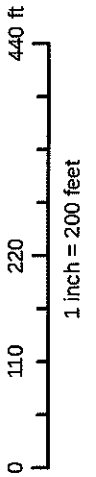


1335 Courtland Dr

Exhibit A



Properties within 100' of 1335 Courtland Dr



Disclaimer
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List of Owners Within 100'

Owner	Mail Address 1	Mail Address 2	PIN
RHODES, JAYME SHANNON	1327 COURTLAND DR	RALEIGH NC 27604-1370	1704952824
TOWER, DANIEL TORRINGTON, MATTHEW	1329 COURTLAND DR	RALEIGH NC 27604-1370	1704952923
FLEMING, LEON T JR	1331 COURTLAND DR	RALEIGH NC 27604-1370	1704952985
MANN, MICHAEL LEE	1328 COURTLAND DR	RALEIGH NC 27604-1341	1704954704
EISENBERG, PETER R SERAFIN, ALLISON E	1330 COURTLAND DR	RALEIGH NC 27604-1341	1704954738
DALALAU, PAUL J	1332 COURTLAND DR	RALEIGH NC 27604-1341	1704954861
FARRES, SEAN MICHAEL	1334 COURTLAND DR	RALEIGH NC 27604-1341	1704954894
SMITH, KATHLEEN M	1336 COURTLAND DR	RALEIGH NC 27604-1341	1704955846
GREENSPAN, MICHAEL	5805 NORWOOD OAKS DR	RALEIGH NC 27614-9105	1704955889
222 ELM LLC	627 W LANE ST	RALEIGH NC 27603-1410	1704956913
1335 COURTLAND LLC	310 HECK ST	RALEIGH NC 27601-1214	1704965009
SELFRIIDGE INVESTMENTS LLC	3620 WILLIAMSBOROUGH CT	RALEIGH NC 27609-6356	1704967022
CLARK, CARRIE	1401 COURTLAND DR	RALEIGH NC 27604-1316	1704967273
LOWRY, GAYLE STOTT	1410 SYCAMORE ST	RALEIGH NC 27604-1325	1704968192
WARD, SARAH CECELIA MA, ANGELA LINDSAY	1403 COURTLAND DR	RALEIGH NC 27604-1316	1704968216
PEREZ, NICHOLAS	1405 COURTLAND DR	RALEIGH NC 27604-1316	1704968258

